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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 KELVIN HERNANDEZ-MENDOZA,

10 Petitioner,

11 v.

12 MERRICK B. GARLAND, *et al.*,

13 Respondents.  
14

Case No. C21-1419-RSL

ORDER DISMISSING  
HABEAS PETITION AS  
MOOT

15 This matter comes before the Court on petitioner Kelvin Hernandez-Mendoza's Petition  
16 for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Dkt. # 7).

17 When Hernandez-Mendoza filed his petition, he was in Immigration and Customs  
18 Enforcement (ICE) custody at the Northwest Detention Center. *See* Dkts. # 7, # 12. Hernandez-  
19 Mendoza sought either a new bond hearing or release from ICE custody. *See* Dkt. # 7. On May  
20 9, 2022, the Ninth Circuit issued a mandate that lifted a stay of removal previously granted to  
21 Hernandez-Mendoza. *See* Dkt. # 16. On or about June 10, 2022, Hernandez-Mendoza was  
22 deported. *See Id.* The Court did not receive notice of his deportation until August 8, 2022. *Id.*

23 Because Hernandez-Mendoza has been deported, the grievance he stated in his petition  
24 can no longer be remedied. *See Abdala v. INS*, 488 F.3d 1061, 1062 (9th Cir. 2007) (holding that  
25 where petitioner's claims under § 2241 "challenged only the length of his detention, as  
26 distinguished from the lawfulness of the deportation order, his grievance could no longer be  
27 remedied once he was deported" and "[h]is petition was thus rendered moot"). Hernandez-  
28 Mendoza's petition is therefore moot.

ORDER DISMISSING HABEAS  
PETITION AS MOOT - 1

1 For all of the foregoing reasons, Hernandez-Mendoza's Petition for Writ of Habeas  
2 Corpus (Dkt. # 7) is DISMISSED as moot. The Clerk of Court is directed to send copies of this  
3 Order to the parties and to Judge Michelle L. Peterson. The Clerk of Court is directed to enter  
4 judgment for respondents and against petitioner.

5 IT IS SO ORDERED.

6 DATED this 11<sup>th</sup> day of August, 2022.

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8 Robert S. Lasnik  
9 United States District Judge  
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